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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,677	09/15/2003	Gregory P. Rochon	Greydon 1 DIV.	1851
26345	7590	03/11/2004	EXAMINER	
GIBBONS, DEL DEO, DOLAN, GRIFFINGER & VECCHIONE 1 RIVERFRONT PLAZA NEWARK, NJ 07102-5497			EICKHOLT, EUGENE H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/662,677	<b>Applicant(s)</b> ROCHON ET AL.	
	<b>Examiner</b> Eugene H Eickholt	<b>Art Unit</b> 2854	<i>AW</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1-12-04</u> . | 6) <input type="checkbox"/> Other: ____  |

Claims 1, 2 and 6 are objected to as “roller” has no antecedent basis and needs to be changed to “drum”.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Ono et al.

The paper is a flexible web. The step of paper feed longitudinally is shown in figs. 20 (1-4), as half pitch paper feed. See col. 7, lines 63-66 and lines 6-26.

Printing occurs when the paper feed is stopped. See col. 6, lines 54-60, i.e. the home position of the carriage 12 causes the paper feed clutch 43 not to be able to transmit rotation to the PF worm 46. Type drum 16 and type belts 16(b) read on step c of the claim 1. Ink is applied by the inking roller 27 which reads on step d. The type drum 16 is “continuously” rotated. See col. 5, lines 1-2. The type drum moves transversely while rotating as set forth in col. 5, lines 29-30. Printing occurs during rotation as set forth at col. 5, lines 54-56. Thus, step c is anticipated.

Platen 30 reads on the step of claim 2 and is flat as shown in Fig. 1.

Regarding claim 4, Ono et al controls type drum 16 rotational speed as shown in Fig. 2 by worm 11 engaging drumgear 13a. See col. 5, lines 14-19. Linear speed is controlled by rack 37 using rack tooth 37a in mesh with driving gear 33 causing the type

drum to move leftward. See col. 5, lines 20-30. The drum gear 13 is always in mesh with the driving gear. See col. 4, lines 10-12.

The movements of Ono et al are sequentially is claimed in claims 5-6.

See col. 7, line 35, "the above numeric printing is repeated".

Regarding claim 6, see the teaching of color printing at col. 8, lines 55-60.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al in view of Hashimura.

Ono et al has inking roller 27 which is in continuous rolling contact with the type drum 13. See col. 3, lines 52-57. Ono et al does not state that roller 27 is an anilox roller. However, anilox rollers used to ink drums are well known in the printing art as evidenced by Hashimura who has anilox roller 3 inking the projection carried by the imaging roll. These two rolls are synchronized for rotational speed by servo amplifiers using independent electric motors to set the speed at 0 to 1% difference. See col5, lines 33-37 and also lines 1-2. At the time of applicants invention it would have been obvious to one of ordinary skill to have selected the anilox roller system in place of the roller 27 and the type drum 13 of Ono et al. Motivation for such a choice is explicitly

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set forth in Hashimura in the abstract as "forming a smoothing thin film with a more uniform thickness on the material".

Additional motivation is found at column 5, lines 1-4 to prevent the type on the belts 16b from deforming.

A shortened statutory period of 3 months is set to respond.

Eickholt/ds

02/26/04

  
EUGENE H. EICKHOLT  
PRIMARY EXAMINER

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Any inquiry concerning the specifics of this communication should be directed to Examiner Eickholt, who can be reached Tuesday through Thursday. Inquiries of a general nature should be directed to the TC2800 receptionist.

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